

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Elliott Claybrook,

Plaintiff,

Civil Case No. 19-13682

v.

Commissioner of Social Security,

Sean F. Cox

United States District Court Judge

Defendant.

/

ORDER ADOPTING
12/22/20 REPORT AND RECOMMENDATION

Plaintiff Elliott Claybrook filed this action seeking judicial review of Defendant Commissioner's final decision denying his application for Title II Disability Insurance Benefits. The matter was referred to Magistrate Judge Patricia T. Morris for determination of all non-dispositive motions under 28 U.S.C. § 636(b)(1)(A) and issuance of a report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Thereafter, the parties filed cross-motions for summary judgment.

In a Report and Recommendation ("R&R") issued on December 22, 2020, the magistrate judge recommends that the Court: 1) deny Plaintiff's motion; 2) grant the Commissioner's motion; and 3) affirm the ALJ's decision.

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. "The district judge to whom the case is assigned shall make a *de novo* determination upon the record, or after additional evidence, of any portion of the

magistrate judge's disposition to which specific written objection has been made." *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections to the R&R. The Court hereby ADOPTS the December 22, 2020 R&R.

IT IS ORDERED that Plaintiff's Motion for Summary Judgment is DENIED.

IT IS FURTHER ORDERED that the Commissioner's Motion for Summary Judgment is GRANTED and the ALJ's decision is AFFIRMED.

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: January 8, 2021